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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,744	10/22/2003	Yayoi Aoki	Q78046	4335

7590 01/17/2006
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EXAMINER

MANOHARAN, MUTHUSWAMY GANAPATHY

ART UNIT	PAPER NUMBER
2683	

DATE MAILED: 01/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/689,744		AOKI, YAYOI	
	Examiner		Art Unit	
	Muthuswamy G. Manoharan		2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

Applicant's arguments filed on 11/04/2005 have been fully considered but they are not persuasive.

Regarding claims 1,2,6,9,10,13,15-17 and 20, Examiner respectfully disagrees with Applicant's assertion on Page 11, line 19 of the remarks Lazaridis fails to teach or suggest "a server having a server storage unit which stores schedule data and connected with said network" as claimed. The applicant admitted that (Page 11, lines 20-21) Lazaridis server computer may include user data items, user profiles including information as to which types of messages and information to redirect, what events will trigger redirection, the address of the users' mobile data communication device, the type of mobile device, and the users' preferred list, and also may include messages to be redirected. Without a server storage unit one cannot store all the data items previously described (Col. 12, lines 20-21; Col. 3, lines 6-7). Also Lazaridis teaches the host system in more detail in Figure 3, where the host system has a primary message store (Col. 5, lines 50-56). Therefore, one can conclude that Lazaridis's server has a storage unit. Also, Lazaridis teaches scheduled data (Col. 6, lines 60-65).

Examiner respectfully disagrees with Applicant's assertion on Page 13, lines 2-3 of the remarks "an event does not suggest the retrieval of schedule data corresponding to a parameter, the parameter being transmitted within a request". Lazaridis teaches schedule data (E-mail messages, calendar events, meeting notifications, stock quotes, news bulletins etc). Lazaridis further teaches external events where the message is transmitted from the mobile communication device to the host system to begin

redirection (Col. 3, lines 16-17). The message could also include "particular sender from the preferred list" (Col. 7, lines 14-16) or the type of data items (E-mail messages, calendar events, meeting notifications, stock quotes, news bulletins etc). In this case the parameter could be the "a particular sender from the preferred list" (Col. 7, lines 14-16) or the type of user selected data items (E-mail messages, calendar events, meeting notifications, stock quotes, news bulletins etc) (Col. 3, lines 9-12).

Regarding claim 9, Examiner respectfully disagrees with Applicant's assertion on Page 13, lines 10-11 of the remarks "Lazaridis fails to teach or suggest, *inter alia*, the program executing section of the mobile terminal as recited in claim 9". Lazaridis teaches the redirector program operates at the user's mobile terminal (Col. 4, lines 40-41). Therefore, the mobile terminal has a program executing section as recited in claim 9 (Col. 4, lines 40-47).

Regarding claim 16, Examiner respectfully disagrees with Applicant's assertion on Page 13, lines 16-17 of the remarks "Lazaridis fails to teach or suggest, *inter alia*, the function to generate an instruction as recited in claim 16". Lazaridis teaches the redirector program provides software-implemented control function to generate an instruction ("programming a preferred type of message types") as recited in claim 16 (Col. 3, lines 37-43). Lazaridis further teaches redirector program operates at the user's mobile communication device (Col. 4, lines 40-41). Therefore, Lazaridis teaches or suggest, *inter alia*, the function to generate an instruction as recited in claim 16.

Regarding claims 3-5, 7, 11, 12, 14, 18 and 19, Examiner respectfully disagrees with Applicant's assertion on Page 14-16 for the same reasons as set forth above.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

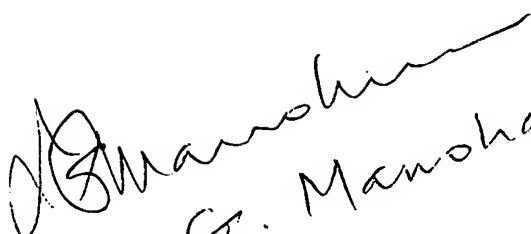
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Muthuswamy G. Manoharan whose telephone number is 571-272-5515. The examiner can normally be reached on 7:30AM-4:30PM.

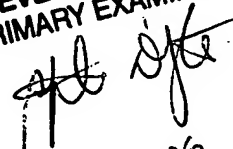
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2683

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


M.G. Manoharan

STEVE M. D'AGOSTA
PRIMARY EXAMINER


1-12-06